



Ingrid L. Moll
Licensed in CT, DC, NY & SC
DIRECT DIAL 860.882.1678
DIRECT FAX 860.882.1682
imoll@motleyrice.com

February 6, 2009

VIA ELECTRONIC MAIL

Jay T. Jorgensen, Esq.
Mark D. Hopson, Esq.
Gordon D. Todd, Esq.
Sidley Austin LLP
1501 K Street, N.W.
Washington, D.C. 20005-1401

Patrick M Ryan, Esq.
Stephen L. Jantzen, Esq.
Ryan, Whaley & Coldiron, P.C.
119 N. Robinson
900 Robinson Renaissance
Oklahoma City, OK 73102

Michael R. Bond, Esq.
Kutak Rock LLP
Suite 400
234 East Millsap Road
Fayetteville, AR 72703-4099

Robert W. George, Esq.
Tyson Foods, Inc.
2210 West Oaklawn Drive
Springdale, AR 72764

Re: *State of Oklahoma vs. Tyson Foods, et al.*, Case No. 05-CV-00329-GKF/SAJ

Dear Counsel:

I write with regard to the subpoenas duces tecum issued last week by the Tyson Defendants to Consumer Logic, Westat, and Wilson Research Strategies, the notices of which are dated January 30, 2009. This is to advise you that the State of Oklahoma objects to those subpoenas to the extent they request any identifying information relating to survey respondents, such as names, addresses, birth dates, etc. Such subpoenas, which are directed to subcontractors retained by the State's damages experts, represent an end-run around the proper scope of expert discovery. Moreover, such information is required to be kept confidential pursuant to professional survey research standards. In addition, the requested identifiers themselves are irrelevant to the findings of the State's damages experts and were not relied upon by them in reaching their findings. Therefore, such information is beyond the scope of expert discovery. If the requests for such information pursuant to each of the aforementioned subpoenas are not formally withdrawn, the State will seek court intervention immediately.

Because this very issue was the subject of the meet and confer held between Robert George and Claire Xidis last week, we deem such conference to satisfy the court's meet-and-confer requirement. If you disagree or wish to discuss this subject further, however, please let me know.

Exhibit 10

www.motleyrice.com

Motley Rice LLC
Attorneys at Law



HARTFORD

ONE CORPORATE CENTER
20 CHURCH ST., 17TH FLOOR
HARTFORD, CT 06103
860-882-1681
860-882-1682 FAX

MT. PLEASANT

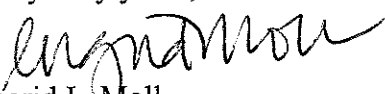
28 BRIDGESIDE BLVD.
P.O. BOX 1792
MT. PLEASANT, SC 29465
843-216-9000
843-216-9450 FAX

PROVIDENCE

321 SOUTH MAIN ST.
P.O. BOX 6067
PROVIDENCE, RI 02940
401-457-7700
401-457-7708 FAX

February 6, 2009
Page 2

Very truly yours,


Ingrid L. Moll

ILM/vtl

cc: Counsel of Record